



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Richard E. Weller et al.

Application No. 10/784,147

Filed: February 19, 2004

Confirmation No. 5344

For: THERAPEUTIC AGENT CARRIER
COMPOSITIONS

Examiner: Not yet assigned

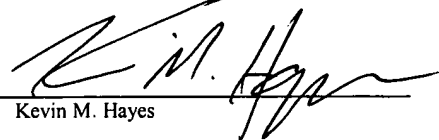
Art Unit: 1616

Attorney Reference No. 23-65308-01

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP MISSING PARTS, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Attorney
for Applicant(s)


Kevin M. Hayes

Date Mailed July 14, 2004

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

MAIL STOP MISSING PARTS
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Applicants have received the official Filing Receipt for the application referenced above, a copy of which is attached as Exhibit A with the requested corrections shown in red ink.

The following error(s) appears on the Filing Receipt:

ITEM IN ERROR (indicated in bold)	CORRECT INFORMATION (indicated in bold)
This application is a CIP of 09/994,509 11/26/2001 ABN which is a CIP of 09/853,507 05/10/2001* which is a CON of 09/058,712 04/10/1998 PAT 6,296,831 This application 10/784,147 is a CON of 10/124,614 4/16/2002 which is a CIP of 09/833,46004/11/2001 which claims benefit of 60/236,926 09/28/2000	This application is a CIP of 09/994,509 11/26/2001 ABN which is a CIP of 09/853,507 05/09/2001* which is a CON of 09/058,712 04/10/1998 PAT 6,296,831 This application 10/784,147 is a CIP of 10/124,614 4/16/2002 which is a CIP of 09/833,46004/11/2001 which claims benefit of 60/236,926 09/28/2000

Applicants enclose a copy of the first page of the referenced application showing the correct information in lines 8-15 as Exhibit B.

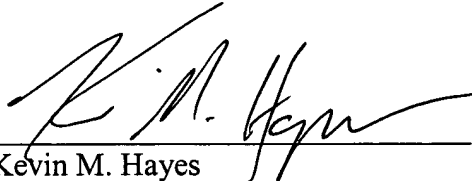
Applicant requests that the identified error(s) be corrected and that a corrected Filing Receipt be issued.

Please call the undersigned at (503) 226-7391 if any further information is required.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By


Kevin M. Hayes
Registration No. 54,158

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446

cc: Client
Docketing

LMC

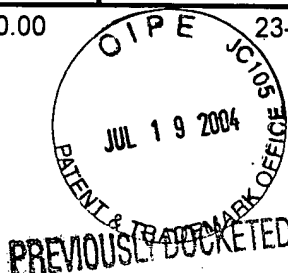


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/784,147	02/19/2004	1616	0.00	23-65308	21	35	5

32215
 KLARQUIST SPARKMAN, LLP
 121 SW SALMON STREET, SUITE 1600
 ONE WORLD TRADE CENTER
 PORTLAND, OR 97204



CONFIRMATION NO. 5344

FILING RECEIPT



OC000000012674035

Date Mailed: 05/14/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Richard E. Weller, Selah, WA; ✓
 Darrell R. Fisher, Richland, WA; ✓
 Michael A. Lind, Kent, WA; ✓
 Allison A. Campbell, Kennewick, WA; ✓
 Anna Gutowska, Richland, WA; ✓
 Craig F. Habeger, West Richland, WA; ✓

Assignment For Published Patent Application

Battelle Memorial Institute; ✓

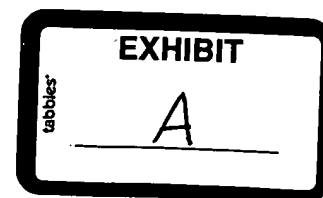
Domestic Priority data as claimed by applicant

This application is a CIP of 09/994,509 11/26/2001 ABN
 which is a CIP of 09/853,507 05/10/2001
 which is a CON of 09/058,712 04/10/1998 PAT 6,296,831
 This application 10/784,147
 is a CON of 10/124,614 04/16/2002 CIP
 which is a CIP of 09/833,460 04/11/2001
 which claims benefit of 60/236,926 09/28/2000

(*)Data provided by applicant is not consistent with PTO records. 2

Foreign Applications

If Required, Foreign Filing License Granted: 05/14/2004



Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Therapeutic agent carrier compositions

Preliminary Class

424

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

- 1 -

THERAPEUTIC AGENT CARRIER COMPOSITIONS

The disclosed compositions were made with Government support under Contract DE-AC06 76RLO 1830 awarded by the U.S. Department of Energy. The Government has certain rights in this patent.

Cross Reference to Related Application

This disclosure is a Continuation-In-Part of Application No. 09/994,509, filed 11/26/01, which is a Continuation-In-Part Application of Application No. 09/853,507, filed 05/09/2001, which is a Continuation of Application No. 09/058,712, filed 04/10/1998, now U.S. Patent No. 6,296,831, and is a Continuation-in-Part of Application No. 10/124,614, filed April 16, 2002, which is a Continuation-in-Part of Application No. 09/833,460, filed April 11, 2001, which application claims the benefit under 35 U.S.C. §119(e) of provisional Patent Application Number 60/236,926, filed September 28, 2000, which are all incorporated by reference herein.

FIELD

The disclosed gels and matrices are used as carriers for the disclosed therapeutic agents in the treatment of disease.

BACKGROUND

Radiolabelling as a method of diagnosis or treatment has been in use for many years. The continuing challenge has been to maximize concentration of the radioisotope in the area or region of interest, diseased tissue or tumor, while minimizing the concentration of the radioisotope in other areas and thereby minimizing damage to healthy tissues.

The paper by S. Ning, K. Trisler, D.M. Brown, N.Y. Yu, S. Kanekal, M.J. Lundsten, S.J. Knox: "Intratumoral radioimmunotherapy of a human colon cancer xenograft using a sustained-release gel," 39, *Radiotherapy and Oncology*, 179-189,

